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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	4446D1
First Inventor	Joe Y.L. Lam et al.
Title	NUCLEIC ACID LABELLED WITH EXTENDED RHODAMINE DYES
Express Mail Label No.	EL 416 207 410 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 95]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 0]
5. ☐ Oath or Declaration [Total Pages 3]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 17 completed)
- ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statement verifying identity of above copies.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other:
- Other:

17. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09 / 325,243 filed June 3, 1999

Prior application information:

Examiner: R. CovingtonGroup Art Unit: 1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a reference is specifically made to the incorporated material. Material not so incorporated but heretofore omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) **22896** or ☐ Correspondence address below

Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

Name (Print/Type)	Alex Andrus	Registration No. (Attorney/Agent)	44,509
Signature	<i>Alex Andrus</i>	Date	Feb. 8, 2001

Date of Deposit: Feb. 9, 2001

PATTI SELAN
(Print Name of Person Mailing Application)

Past: Selam
(Signature of Person Mailing Application)

Transmittal of Continuation Patent Application For Filing Under 37 CFR 1.53(b)

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

dc996 U.S. pro
09/780600

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09 / 325,243 filed June 3, 1999 by Joe Y.L. Lam, Scott C. Benson and Steven M. Menchen entitled

Nucleic Acids Labelled With External Rhodamine Dyes

1. Enclosed are:
 - ☒ One stamped, self-addressed postcard for PTO datestamp.
 - ☒ Certificate of Express Mail.
 - ☒ One utility patent application containing text pages 1 - 95 and
☐ 0 sheets of ☐ formal ☐ informal drawings.
 - ☒ Application Data Sheet.
 - ☒ Copy of executed Declaration of Inventorship from parent application serial no. 09/325,243.
 - ☐ Sequence Listing printout, Request to Use from prior application, and matching Declaration.
 - ☒ A Preliminary Amendment.
 - ☐ A new Power of Attorney.
2. Amendment
 - ☒ Please enter the enclosed Preliminary Amendment before calculating the filing fee. It is understood that only amendments reducing the number of claims will be entered for this purpose.
 - ☒ Please cancel original claims 1-45, inclusive, before calculating the filing fee. (At least one original independent claim should be retained for filing purposes.)
 - ☐ Amend the specification by inserting before the first line the sentence: -- This application is a divisional / continuation of application serial no. _____ filed _____ which is a divisional / continuation of application serial no. _____ filed _____. --
3. Extension of Time
 - ☐ A petition for extension of time has been filed in the parent to extend the pendency of the parent to _____ (copy enclosed).
 - ☒ Conditional Petition for Extension of Time: An Extension of Time is requested to provide for timely filing *if* required to establish copendency with the parent after all papers filed herewith have been considered.

4. Prior Documents Still in Effect

☒ This application and parent application Serial No. 09/325,241, filed June 1, 1999 are assigned of record to The Perkin-Elmer Corporation.

☒ Power of attorney in the above-identified prior application is to Alex Andrus, Reg. No. 44,509, and the other attorneys or agents identified therein.

5. Fees

The filing fee is calculated below taking into account any amendments in section 2 above:

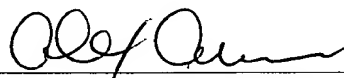
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	30 - 20	10	X \$18	\$180.00
INDEPENDENT CLAIMS	1 - 3	0	X \$0.00	\$0.00
	BASIC FEE			\$710.00
	Multiple Dependency Fee If Applicable \$270.00			
	Total			\$890.00
	50% Reduction for Independent Inventor, Non-profit Organization or Small Business Concern			
	TOTAL FILING FEE			\$890.00

☒ The Commissioner is hereby authorized to charge the filing fee, any deficiency in fees under 37 CFR 1.16 and 1.17, or any other fees necessary for timely filing of this application, or credit any overpayment to Deposit Account No. 01-2213. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ _____ is enclosed.

☐ Filing fee to be submitted in response to anticipated receipt of Notice to File Missing Parts.
DO NOT CHARGE DEPOSIT ACCOUNT.

Respectfully submitted,



Alex Andrus, Reg. No. 44,509

Dated: Feb. 8, 2001

Correspondence Address:

Customer Number 22896
Applied Biosystems
Patent Department M/S 432-2
850 Lincoln Centre Drive
Foster City, California 94404
Telephone: 650-638-5607
Facsimile: 650-638-6677

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	To be assigned
Filing Date	February 9, 2001 (herewith)
First Named Inventor	Joe Y.L. Lam et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	44,509

TOTAL AMOUNT OF PAYMENT (\$ 890)

BEST AVAILABLE COPY

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit
Account
Number
Deposit
Account
Name

01-2213

Applied Biosystems

- ☒ Charge any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Credit card ☐ Money ☐ Other
Order

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355	Utility filing fee	710
106	320	206 160	Design filing fee	
107	490	207 245	Plant filing fee	
108	710	208 355	Reissue filing fee	
114	150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 710)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
30	-20**= 10	18	180
1	-3**= 0	0	0
Multiple Dependent			0

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9	Claims in excess of 20
102	80	202 40	Independent claims in excess of 3
104	270	204 135	Multiple dependent claim, if not paid
109	80	209 40	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 180)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139 130	Non-English specification	
147	2520	147 2520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113 1840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	390	216 195	Extension for reply within second month	
117	890	217 445	Extension for reply within third month	
118	1390	218 695	Extension for reply within fourth month	
128	1890	228 945	Extension for reply within fifth month	
119	310	219 155	Notice of Appeal	
120	310	220 155	Filing a brief in support of an appeal	
121	270	221 135	Request for oral hearing	
138	1510	138 1510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1240	241 620	Petition to revive - unintentional	
142	1240	242 620	Utility issue fee (or reissue)	
143	440	243 220	Design issue fee	
144	600	244 300	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Petitions related to provisional applications	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	710	246 355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249 355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279 355	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Alex Andrus

Registration No.
(Attorney/Agent)

44,509

Complete (if applicable)

Telephone

650-638-5607

Signature

Alex Andrus

Date

Feb. 8, 2001

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.